

Remarks

Claim 1 is cancelled. New claims 2-14 are added and pending.

Claim 1 was rejected under 35 U.S.C. § 102 as being unpatentable under U.S. Patent 6,980,958 to Surwit et al. ("Surwit"). To facilitate prosecution on the merits claim 1 is cancelled. New independent claims 2, 13 and 14 all recite a website and some communications of a patient with that website. The Surwit reference, while discussing the use of the internet, does not specifically provide for communication with a website. By providing such a website, a system in accordance with the invention may be implemented using readily available technology including internet browsers running on computers and even on dumb terminals. Any patient who knows how to operate a browser, can access the claimed web site and communicate therewith.

In contrast, the system described in the Surwit reference generally envisions a specially designed apparatus - i.e. a portable patient monitor "PPM". See, e.g., column 7, line 56 - column 8, line 5; column 8, line 60 - column 10, line 57. Such a device is bulky, less portable than ubiquitous browsers which can access a web site, and requires a patient to learn how to use a new, unique piece of equipment. Patients who are not comfortable with new technology may end up failing to report their medication compliance. Surwit mentions that the PPM may use a browser, however there is no discussion of the PPM being able to communicate with a website. Therefore, it is asserted that new claims 2-14 are patentable over the Surwit reference.

The director is hereby authorized to charge any deficiency or credit or any overpayment  
to Deposit Account No. 23-2820.

Respectfully submitted,



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